

TOWN OF EAST TROY
Combined Town Board Minutes for Year 2009

February 2009 Town Board Meeting Minutes
February 9, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES
February 9th, 2008 at 6:30 P.M.

The MEETING was called to order by Chairman Mueller at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were 10 residents.

The MINUTES: Chairman Mueller presented the January 12th, 2009 minutes of the regular meeting. Supervisor Montez moved to approve the minutes as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.
Supervisor Klarkowski moved to approve the minutes for the Special Town Board Meeting. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the January Treasurers Report. Supervisor Klarkowski moved to approve the Treasurers Report as presented. Supervisor Montez seconded the motion. The Motion carried by unanimous vote.

Clerk/Treasurer Buchanan presented the designated funds report. The designated funds could be used for R.S.V. Engineering (Miramar Drive engineering project), along with the roadwork projects.

Clerk/Treasurer Buchanan reported that tax collection is completed. The Town taxpayer's biggest complaint is on the assessed value due to the economy. Clerk/Treasurer Buchanan recommended that taxpayers call the assessor with the complaints on the assessment. The assessor will be at the Town Hall for regular business hours on February 17, 2009, 8AM to 2PM. The taxpayers have a right to vote at the Town annual budget meeting, setting the levy for the Town. Town budget increase for 2009 was approximately 3.2% .

Supervisor Montez made a motion to move the designate funds, in the amount of \$10,496.17 to the roadwork projects for 2009. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried by unanimous vote.

The LIBRARY REPORT: Clerk/Treasurer Buchanan reported that Maxine Hough is working in Madison and is unable to attend the Board Meeting. The Library reported an increase in the internet use. The library has tax forms available, but does not recommend using the public computer to enter your tax information due to the security. A Library representative, attended Village Smart Growth meeting.

The RECYCLING REPORT: Clerk/Treasurer Buchanan reported on the Be Smart program. February 15, 2009 Best Buy will recycle computers and other electronics, there will be no fee to recycle the articles, except for things with a screen, which will be a \$10.00 charge, but you will then in return get a \$10.00 Best Buy gift certificate. Discussion followed.

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The POLICE REPORT: Chief Surges presented the police report for the month of January.

The DEPARTMENT OF PUBLIC WORKS REPORT: Greg Twelmeyer reported the old landfill testing will cost an extra \$150.00, which will be for extra sampling that DNR recommended. Supervisor Klarkowski made a motion to follow the recommendations by the DNR and follow the well testing as recommended. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Greg Twelmeyer reported on the summer roadwork program, the increased roadwork. RSV Engineering will do the needed Engineering on Miramar Drive, along with the bid opening at the April Board meeting.

Chairman Mueller moved to proceed with RSV Engineering's proposal as presented. Supervisor Montez seconded the motion. Discussion followed. The motion carried by unanimous vote.

Greg Twelmeyer reported that the Town has enough salt for the roads for the remainder of the winter.

PUBLIC COMMENTS: Cory Geiger, W1938 CTH J, questioned the Town tax assessment. They had a 10% increase in one year's assessment. Mr. Geiger also made a presentation to the County Board on the tax situation.

Richard Beller, New Deal Avenue, discussed the assessed value placed on the property on New Deal Avenue.

SMART GROWTH: Supervisor Montez reported that the Smart Growth meeting. They are attempting to get funding for the Smart Growth program through the stimulus program. Supervisor Klarkowski discussed the Land Use Map. The Planning Commission will review and approve the map as presented. Bill Loesch, Village president is requesting a meeting on the Village and Town Smart Growth plan. The Town will set up a meeting date with the Village, to include residents.

The FIRE DISTRICT Report: None.

The INTERGOVERNMENTAL COOPERATION: None.

The PARK COMMITTEE Report: None.

The PLANNING COMMISSION Report: Supervisor Klarkowski presented the January and February Planning Commission reports. Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the combining of lots, N9124 Humphry Lane, Beulah Manor Subdivision, by Robert & Karen Mueller. Supervisor Montez seconded the motion. Chairman Mueller abstained. The motion carried by unanimous vote.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Rezone C-1 to R-1, N9169 Deerpath road, by Debra Zachow. Chairman Mueller seconded the motion. The motion carried by unanimous vote.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the rezone A-2 to B-4, Conditional Use for half of the 30' x 25' shop, for a bait shop/small engine repair, along with five parking spaces, W1838 St. Peters Road, PET17-8, by Dale and Sue Healey. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the rezone A-4 to B-4, Conditional Use, for the mini storage/cold storage, W1540 Sawyer Lane, PA3973-2, by Sawyer Investments. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

UNFINISHED BUSINESS: Discussion on the Village boundary agreement.

Paul Riedl, presented the petition for the Slalom Ski Course on Lake Beulah. It is a portable ski course and it will not be used on the weekend or holidays. It will be located on Long Lake off the Southshore of Lake Beulah, this will be subject to DNR approval. Supervisor Klarkowski questioned all the signatures being riparian owners. Chairman Mueller advised that the town will defer action to the March meeting in order to check the riparian owners and notify the public.

NEW BUSINESS: Clerk Buchanan advised that the audit report is postponed to the March Meeting due to a death in the auditor's family.

Clerk Buchanan presented the Website Resolution, Disclaimer & Content. Attorney Mills is to review the Resolution and disclaimer for the website. Clerk Buchanan asked Larry & Judy Mitten to come up with the history of the Town of East Troy for the website.

ATTORNEY'S REPORT: Attorney Mills read Resolution 2009-03, Establishing new Hourly wages for election inspectors/poll workers.

Chairman Mueller moved to approve Resolution 2009-03 as read. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

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Attorney Mills read Resolution 2009-04, Endorsing LBPIA concerns regarding Village of East Troy Smart Growth plan.

Chairman Mueller moved to approve Resolution 2009-04 as read. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried by unanimous vote.

PUBLIC COMMENTS: None.

LICENSE APPLICATIONS: None.

SPECIAL EVENTS: None.

REVIEW BILLS FOR PAYMENT:

PENDING MEETINGS:

02/18/09 Planning Commission Meeting, Town Hall, 7:00P.M.

02/18/09 Town's Association Meeting, Cotton Exchange

03/04/09 Planning Commission Meeting, Town Hall, 7:00P.M.

03/09/09 Town Board Meeting, Town Hall, 6:30P.M.

03/18/09 Planning Commission Meeting, Town Hall, 7:00P.M.

Supervisor Klarkowski moved to review bills for payment and adjourn the meeting at 7:40 P.M. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

Board Meeting & Special Meeting March 9, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES
March 9th, 2008 at 6:30 P.M.

The MEETING was called to order by Chairman Mueller at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were 13 residents.

The MINUTES: Chairman Mueller presented the February 9th, 2009 minutes of the regular meeting. Supervisor Montez moved to approve the minutes as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the February Treasurers Report. Supervisor Montez moved to approve the Treasurers Report as presented. Supervisor Klarkowski seconded the motion. The Motion carried by unanimous vote.
John Knepel, Virchow Krause, presented the auditors report for 2008.
Supervisor Klarkowski questioned the budget amendment suggestion and the amendments occurring at the annual meeting. The auditors advise the budget needs to be amended throughout the year. The budget needs to match up with the action the Town takes. Discussion followed.

The LIBRARY REPORT: Clerk/Treasurer Buchanan reported the library circulation numbers have increased. There is a new research system for small businesses now available at the Library.

The RECYCLING REPORT: Clerk/Treasurer Buchanan reported that Chuck Esposito is working on the recycling grant.

The POLICE REPORT: Chief Surges presented the police report for the month of February.

The DEPARTMENT OF PUBLIC WORKS REPORT: Greg Twelmeyer reported the road bid documents will be advertised in the next two weeks, with the bid opening on April 8th, 2009. RSV Engineering will review the bids and make a recommendation at the April 13, 2009 Board Meeting.
Greg Twelmeyer reported that the 911 address signs have been ordered and will be installed in July. The Town will need an Ordinance for the Building Inspector to provide a fee for new homes to have a 911 address sign.
The Town received the check from FEMA today for the 2008 storm damage clean up.
Greg Twelmeyer reported that the Compost Site is opening April 18th, weather permitting. The notification will be on the Town website.
The weight restrictions on the Town roads went on today.

PUBLIC COMMENTS: Supervisor Klarkowski questioned drag racing in the area of the Honey Creek apartments. Discussion followed.

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SMART GROWTH: Supervisor Montez reported that they discussed Chapter X, preserving farmland. SEWERPC will meet with the Town in October or November to discuss the Smart Growth plan.

Supervisor Klarkowski made a motion to approve the Town Land Use Map revised on 11/13/2008. Chairman Mueller seconded the motion. Discussion followed. The motion carried by unanimous vote.

The FIRE DISTRICT Report: None.

The INTERGOVERNMENTAL COOPERATION: Chairman Mueller reported that he attended the Disaster Mitigation meeting at Walworth County. The Town of East Troy is covered and is eligible for any FEMA grants in case of a disaster, as the Disaster Mitigation includes all town's in Walworth County. The plan focuses on flooding, as the state is purchasing homes to get them out of the flood plain.

The PARK COMMITTEE Report: None.

The PLANNING COMMISSION Report: Supervisor Klarkowski presented the January and February Planning Commission reports. Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Rezone C-4 to R-1, N9188 Humphrey Lane, by Thomas Horter. Supervisor Montez seconded the motion. The motion carried by unanimous vote. Discussion followed on the rezone being approved already at Walworth County.

Supervisor Klarkowski advised that the Town received a letter from the attorney representing Honey Creek Estates on Thiede Road, requesting that the Town not take action on the rezone, as they want to bring it back to the Planning Commission in April with new or additional information. Attorney Mills stated that he talked to the attorney for Honey Creek Estates and they are requesting that the rezone not be acted on by the Town.

Supervisor Klarkowski moved to table the Rezone A-2 & A-4 to C-2, PET13-2 & PA3047-2, N8750 Thiede Road, by Honey Creek Estates. Supervisor Montez seconded the motion. Discussion followed. The motion carried by unanimous vote.

UNFINISHED BUSINESS: Chairman Mueller reported that he contacted Village President Loesch and advised that the Town will meet with the Village on the Village Boundary Agreement after the election.

Chairman Mueller reported that the next item on the agenda is the Slalom Ski Course on Lake Beulah.

Robert Burmeister, Lake Beulah, reviewed the DNR regulations for a slalom ski course, the DNR states that if any of the riparian owners object to the course the permit will not be approved. There are several riparian owners that object to the course, Burmeister submitted paperwork identifying riparian owners objecting to the course.

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There have been several letters submitted to the Town of riparian owners that object to the course. Discussion followed.

Valarie Johnson, Lake Beulah, questioned how many times the ski course is going to be tabled by the Town.

Chairman Mueller advised that the Town does not have an application for a ski course to take action on at this time.

Clerk Buchanan reported on the Town of East Troy Website. Attorney Mills is reviewing the disclaimer written by the Wisconsin Town's association to see if it is adequate. The Town Board will approve anything put on the website.

NEW BUSINESS: Attorney Mills reported he has had contact with the Landfill Environmental Manager, Jim Hiteroff, about the Landfill closure procedures. The Environmental Manager will be at the April meeting to update the Town Board.

ATTORNEY'S REPORT: None.

PUBLIC COMMENTS: Supervisor Klarkowski reported that Rick Stacy contacted him about the alternate energy meeting at Walworth County. Walworth County needs more input on the programs for wind energy/solar systems. Discussion followed.

LICENSE APPLICATIONS: Clerk Buchanan presented an Operator License for Allison Cowle and Becky Walkowicz for Lindey's on Lake Beulah.

Chairman Mueller moved to approve the Operator License as presented. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

SPECIAL EVENTS: None.

REVIEW BILLS FOR PAYMENT:

PENDING MEETINGS:

04/01/09 Planning Commission Meeting, Town Hall, 7:00P.M.

04/07/09 Election

04/13/09 Town Board Meeting, Town Hall, 6:30P.M.

04/14/09 Annual Meeting, Town Hall, 7:00P.M.

04/15/09 Planning Commission Meeting, Town Hall, 7:00P.M.

Supervisor Montez moved to review bills for payment and adjourn the meeting at 7:20 P.M.

Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY SPECIAL BOARD MEETING
MONDAY, MARCH 9, 2009 AT 6:00P.M.

Chairman Mueller called the meeting order at 6:00P.M. Present were Supervisor Montez, Supervisor Klarkowski and Clerk/Treasurer Buchanan. Also present were 3 citizens.

Chairman Mueller advised that the first item on the agenda is the quotes for the loader. Greg Twelmeyer reported that he checked with the three dealers on rental units and those units are \$70,000 to \$80,000. Greg Twelmeyer presented bids for the new loader: John Deere \$112,981.00, Catapillar \$128,800.00, Case \$181,400.00, with the discount \$102,000.00, (Municipal lease with a buyout after four years). The tractor purchase will be taken out of the equipment replacement fund, along with 25% out of compost fund. Supervisor Montez moved to approve the purchase of the Case Tractor bid as presented. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried by unanimous vote.

Chairman Mueller advised that the second item on the agenda is the State Salt Bid participation for 2010.

Greg Twelmeyer stated that they have always gone through Morton Salt, however the price of salt has doubled. Other Municipalities have gone with the state salt bid. The Town will accept the contract. The State contract requires an initial fill before November 2009. The Town will purchase 900 ton, and then in November budget for the remainder of the salt for 2010 and 2011 initial fill.

Supervisor Klarkowski moved participate in the State Salt bid for 2010 as presented. Supervisor Montez seconded the motion. Discussion followed. The motion carried by unanimous vote.

Supervisor Montez moved to adjourn the Special Meeting at 6:20P.M. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

April Town Board Minutes

April 13, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

April 13th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Mueller at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were 18 residents.

The MINUTES: Chairman Mueller congratulated John Stoesser as Chairman, Clayton Montez, Joe Klarkowski as Supervisors and Dan Heidelmeier as Judge. Chairman Mueller expressed his thanks to Gregg Heidenreich for eighteen years of service as Judge for the Town of East Troy. Chairman Mueller thanked all Town Employees for supporting him over the last years as Chairman.

Chairman Mueller presented the March 9th, 2009 minutes of the regular meeting. Supervisor Montez moved to approve the minutes as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote. Chairman Mueller presented the minutes from the March 9th Special Town Board meeting. Supervisor Montez moved to approve the minutes as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the March Treasurers Report. Supervisor Montez moved to approve the Treasurers Report as presented. Supervisor Klarkowski seconded the motion. The Motion carried by unanimous vote.

Clerk/Treasurer Buchanan recommended that the FEMA grant in the amount of \$15,600.86 be put in the equipment replacement fund to cover budgeted items, including the loader and mower that is needed.

Supervisor Klarkowski made a motion to put the FEMA grant money in the amount of \$15,600.86 in the equipment replacement fund. Supervisor Montez seconded the motion. Discussion followed. The motion carried by unanimous vote.

The LIBRARY REPORT: Clerk/Treasurer Buchanan reported that the library usage is up, along with computer usage at the library. The Library is looking into installing older computers in basement for student use. Library staff members have been delivering books to people unable to get to the library (such as handicapped people or shut ins).

The RECYCLING REPORT: Clerk/Treasurer Buchanan reported that Chuck Esposito is working on the recycling grant for 2010. The efficiency grant is in the amount of \$2,205.05 and Recycling grant is in the amount of \$20,325.12. The State will possibly cutting the recycling grants for 2010.

The computer roundup will be May 1, at the Walworth County Highway Department in Elkhorn & Whitewater D.P.W.

The POLICE REPORT: Chief Surges presented the police report for the month of March.

The DEPARTMENT OF PUBLIC WORKS REPORT: Clerk/Treasurer Buchanan presented the road bids that were prepared by RSV Engineering. There were four bids presented, B.R. Amon & Sons \$649,137.00, Payne & Dolan \$687,329.00, Wolf Paving \$690,998.66, Stark Asphalt \$752,960.20. Tim Lynch, RSV Engineering, made a recommendation to accept the low bid from B.R. Amon & Sons.

Supervisor Klarkowski moved to accept the low bid from B.R. Amon & Sons in the amount of \$649,137.00 for the 2009 road bid. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Clerk/Treasurer Buchanan reported that First Citizen's Bank of East Troy has the best interest rate, after checking several banks First Citizens Bank will provide the \$550,000.00 loan, for seven years at 4.49% interest rate.

Supervisor Klarkowski made a motion to approve the loan at First Citizen Bank of East Troy, in the amount of \$550,000.00 at 4.49% interest rate. Supervisor Montez seconded the motion.

Discussion followed. The motion carried by unanimous vote.

PUBLIC COMMENTS: Dick Dow commented on the private roads not being included in the town roadwork bid. Residents on the private roads are able to contact the contractors and discuss having the private roads done at the same time as Town roads.

Chairman Mueller advised that during the election campaign Mr. Stoesser's blog focused on two areas the budget that was approved at the budget meeting and Town taxes increasing by 3.2%.

Mr. Stoesser stated on the blog the property owned by the Mueller's were under assessed and not taxed accordingly. All records are on file at the Town Hall for any residents to view, anyone may also contact Chairman Mueller at home, 262-642-7172. Chairman Mueller advised that slanderous statements made against him during the campaign, civil action is being taken against Mr. Stoesser and it will not involve the Town. This is between you and me.

SMART GROWTH: Supervisor Montez reported that they discussed ag land. Town will hold public meetings in June-November on Smart Growth, July 21, 2009 has been scheduled for a Smart Growth Open House. The Wisconsin Town's Association Meeting will be at the Town hall the end of June.

The FIRE DISTRICT Report: None.

The INTERGOVERNMENTAL COOPERATION: None.

The PARK COMMITTEE Report: None.

The PLANNING COMMISSION Report: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Jim Hitzeroth, Environmental Manager for Troy Area Landfill reported on the Troy Area Landfill history. WDNR granted a reduction in the well monitoring, as the Landfill site monitoring is going very well. The Troy Area Landfill is the State of the art landfill. WDNR issued notices of violation and the issues are being taken care of and WDNR approved the redesign and the violation were corrected in 2008. The Troy Area Landfill does not impact the environment and the monitoring is well maintained.

Assessor Keith Munson stated he stays out of politics. The assessment data cards are available here at the Town Hall. The Town website will have the assessment information in the future. The assessor discussed the sales from the last year and how it affects the overall assessment. The assessor believes there is no need for a reassessment, as the Town is close to a 100% assessment. Supervisor Montez asked the assessor to go over the Board of Review concept. Discussion followed on Village versus Town taxes and assessment percentage and how it affects the school district portion of the taxes.

David Skotarzak, Lake Beulah Protective, reported on the gypsy moth spraying program. The Town residents need to get involved in checking areas. The gypsy moths are increasing and spreading throughout the Town. As the gypsy moths kill the trees it devalues property in the area. This issue will be on the May agenda, possibly the DPW could do the spraying along with the DNR.

Attorney Mills reported on the division of a partition fence by Curtis Frahm, W200 Miller Road. Supervisor Klarkowski will contact Curtis Frahm in order to view property and make a recommendation to the Town Board.

ATTORNEY'S REPORT: Attorney Mills read Resolution 2009-05, approving the creation of a Municipal website.

Supervisor Montez moved to approve Resolution 2009-05 as read. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Attorney Mills read Resolution 2009-06, Approving the Land Use Map.

Supervisor Klarkowski moved to approve Resolution 2009-06 as read. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

PUBLIC COMMENTS: Lake Beulah Management District Chairman Dick Dow, Valarie Johnson, Secretary and David Skotarzak, commented on the Village Smart Growth plan. The Lake Beulah Management District requests that the Town and Village develop an intergovernmental agreement, along with a boundary agreement. The Village of East Troy and the Village of Mukwonago overlap around Lake Beulah, as far as extraterritorial boundary's and annexation. Chairman Mueller commented that they have wanted to have a boundary agreement with the Village of East Troy. The Town of East Troy developed a boundary agreement with the Village of Mukwonago, however the Village of East Troy has not agreed to a boundary agreement.

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LICENSE APPLICATIONS: None.

SPECIAL EVENTS: None.

REVIEW BILLS FOR PAYMENT:

PENDING MEETINGS:

04/14/09 Town Annual Meeting, Town Hall, 7:00P.M.

04/15/09 Planning Commission Meeting, Town Hall, 7:00P.M.

05/06/09 Planning Commission Meeting, Town Hall, 7:00P.M.

05/11/09 Town Board Meeting, Town Hall, 6:30P.M.

05/15/09 Planning Commission Meeting, Town Hall, 7:00P.M.

Supervisor Montez moved to review bills for payment and adjourn the meeting at 8:30 P.M.

Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

Town Board Minutes

May 11, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

May 11th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were 50 residents.

OPEN MEETING LAW: Chairman Stoesser read several Ordinances. The order of speaking at the meeting will be determined by Chairman Stoesser. Keeping order at the meeting is up to the Town Chairman.

Chairman Stoesser discussed the publishing of the agenda and the changes. Chairman Stoesser advised that the assessment is not on the agenda and will not be able to be discussed tonight. Chairman Stoesser will be putting the agenda together. Discussion followed on adding to the agenda or deleting items from the agenda.

The MINUTES: Chairman Stoesser presented the April 14, 2009 Minutes and moved to approve the minutes.

Supervisor Montez moved to strike the paragraphs as follows: "Mr. Stoesser stated that there will be a sign in the Board room stating that behind every tax key number there is a person. Bob Mueller stated that the statement should apply to him and he will see Mr. Stoesser in Court. Supervisor Klarkowski seconded the motion. Chairman Stoesser asked Supervisor Montez to put the motion in writing. Discussion followed on how the statements were put in the minutes. The motion carried by two to one, Chairman Stoesser abstained, Supervisor Montez and Klarkowski voted in favor of the motion.

Supervisor Klarkowski presented the Special Meeting Minutes of April 25, 2009. Supervisor Montez made a motion to approve the minutes as presented. Supervisor Klarkowski seconded the motion. The motion carried by two to one, Chairman Stoesser abstained, Supervisor Montez and Klarkowski voted in favor of the motion.

Supervisor Klarkowski made a motion to approve the April 13th, 2009, Town Board Meeting Minutes as presented. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Supervisor Klarkowski moved to approve the April 1 and April 15, 2009 Planning Commission Meeting Minutes as presented. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Supervisor Klarkowski moved to table the Planning Commission, May 1, 2009 Meeting Minutes. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

CHAIRPERSON REPORT: Chairman Stoesser stated that during the annual meeting the tape was turned off, so there is no record of an incident that occurred at that meeting. The tape will be kept running during the meeting unless the Chairman advises to turn it off.

WITHDRAWALS FROM AGENDA: None.

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The TREASURERS Report: Clerk/Treasurer Buchanan presented the April Treasurers Report. Clerk/Treasurer Buchanan presented the Landfill Interest Revenue. Clerk/Treasurer Buchanan presented the Landfill Revenues & Expenditures. Supervisor Klarkowski moved to approve the Treasurers Report as presented. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Clerk/Treasurer Buchanan presented the bill for the locksmith and that it was not a budgeted item. Supervisor Montez moved to approve a budget amendment expenditure to cover the locksmith, however would like to see any other items in the budget. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried by unanimous vote.

The LIBRARY REPORT: Clerk/Treasurer Buchanan reported that Author Teresa Allen will be at speaking at the next Library meeting, May 18 at 6:30P.M.

The RECYCLING REPORT: Clerk/Treasurer Buchanan reported that the Town received two recycling grants in the amount of \$22,530.17. The recycling grants were \$2,500.00 less than the 2008 grant. Supervisor Montez reported on the tipping fees proposed by Governor Doyle for 2010. The State does not know how this will affect the garbage hauling for next year and if that will increase the rate for garbage pick up.

The POLICE REPORT: Chief Surges presented the police report for the month of April.

The DEPARTMENT OF PUBLIC WORKS REPORT: Greg Twelmeyer reported that the recycling/compost site is open every other Saturday from 9:00A.M. to 2:00P.M. It will be open this Saturday, May 16, 2009.

Greg Twelmeyer reported that Troy Hills Estate is ready for the final coat of asphalt this summer. It would be beneficial to the Town to have the final coat completed at this time. Supervisor Klarkowski believes that this would be beneficial to the Town, as there could be failure with the binding coat if the final coat of asphalt is not applied. Supervisor Montez questioned the Town paying any of the paving. The developer will be completing the paving of the final coat of asphalt. The developer's bond will be reduced after the paving is completed. The developer needs to get all the street signs and stop signs installed.

Supervisor Montez moved to approve the final coat of asphalt on Troy Hills Estate. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Greg Twelmeyer reported that next month the 911 address signs will be installed. The new construction fee needs to be set. In Section 8 of the Town Ordinance, a fee will be applied to the Building Permit for the 911 sign. The Town will install the new sign. A new fee is to be adjusted every January for the 911 sign.

COMMITTEE REPORTS:

SMART GROWTH: Supervisor Montez reported that they discussed the economic development portion of the Smart Growth plan. There will be approximately two more Smart Growth meetings. The Town will hold a public hearing and a Smart Growth Open House. September 25, 2009 will be the public feed back meeting on the Smart Growth plan.
The Wisconsin Town's Association Meeting will be at the Town hall the end of June.

The FIRE DISTRICT Report: Dave Bitter reported they are reevaluating their position with Paratech. They are getting bids from three new billing companies. The EMS District leases employee's from Paratech and they are reevaluating and will possibly hire their own EMT I employees. The District Municipal Agreement has a very complex formula, the Town is not being hurt by the current system and the system will not change. The next EMS District meeting will be May 20, 2009 at 7:00P.M. The changes will be presented to the Town Board for approval.

The INTERGOVERNMENTAL COOPERATION: Chairman Stoesser reported that he attended the Intergovernmental Cooperation Meeting and the committee will continue with their meetings. The Census Bureau is looking for cooperation from the Intergovernmental Committee.

The PARK COMMITTEE Report: None.

The PLANNING COMMISSION Report: Supervisor Klarkowski presented the April and May Planning Commission reports. Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the variance request, W1031 Miramar Road, PMR100011 & PMR100010, by MaryLou Luedtke, with the condition that the mobile home is removed when the owner receives an occupancy permit and moves into the new home. Supervisor Montez seconded the motion. Chairman Stoesser abstained, the motion carried by two to one.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the lot line adjustment, N8480 Bell School Road, PET2400004, by Jahn Fidler. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Supervisor Klarkowski presented the Walworth County Zoning plan for the zoning districts. Walworth County is responding to a lawsuit and is assigning principle uses to the zoning districts. The Planning Commission stated that Walworth County is able to designate principle uses, not the Town. Discussion on the Town Board making a recommendation for principle uses for the zoning districts. Supervisor Montez stated that Debbie Grube discussed the same thing at the Smart Growth meeting. The County is reaching out and wants the Town opinion as advisory.

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Supervisor Klarkowski moved that the Planning Commission and the Town Board have no recommendation on principle uses on the zoning districts, pertaining to the Rhiane vs Bizzell court case. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

UNFINISHED BUSINESS: Chairman Stoesser presented the Gypsy Moth spraying program recommended by the Lake Beulah Management District.

Ray Fisher and Christine Regester, Walworth County Extension Coordinator, discussed the gypsy moth spraying. The DNR will be doing state wide spraying for the Gypsy Moths. The DNR will be charging forty-five dollars an acre for the spraying. The Federal government may pay part of that fee. The DNR will use one company to do the aerial spraying. Christine Regester explained how residents are able to wrap the trees with burlap as one means of controlling the moth.

Supervisor Klarkowski reported on the Curtis Frahm partition fence division. The neighbor is buying the property, there is an accepted offer. The only way there will be a problem is if the sale falls through.

Chairman Stoesser reported on the Village of East Troy Smart Growth & Boundary Agreement meeting. There will be a meeting on May 18th at 7:30P.M. The Village will not delay the adoption of their Smart Growth plan.

Chairman Stoesser read a letter from the Village of East Troy about the boundary meetings. Supervisor Klarkowski and Supervisor Montez commented on the meetings with the Village of East Troy. Discussion followed.

Chairman Stoesser advised that there will be two workshops for Town and Village residents, Wednesday, May 20 and Saturday May 23. The workshops are on how to reduce property assessments/taxes. The speakers will be Assessor Keith Munson and several other speakers. Chairman Stoesser made a motion to approve this effort going forward.

Attorney Mills will prepare the 2009 Roadwork Loan Resolution. Discussion followed on the Loan Resolution being presented at the Village meeting on May 18.

NEW BUSINESS: Chairman Stoesser advised that Barry Bonneau, Potters Lake Management District, will present the Potters Lake No Wake Ordinance problem. Chief Surges commented on the no wake ordinance. The Lake District puts the no wake on Potters Lake. The Town needs an ordinance in order to issue citation for violations. Attorney Mills suggested that they add that the no wake to the existing Ordinance. Robert Rice, Potters Lake Protective, advised that they have a measuring area and when it gets to that level the no wake is put on Potters Lake. This will be added to the agenda for June.

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Chairman Stoesser presented the Potters Lake runoff issue in the Miramar Drive area. Where the curb ends on the Miramar property association area. The Miramar Property Association and Potters Lake Protective Association have received copies of the roadwork map for their review. The run off empties into a drain, then possibly onto private property. The Town board, Lake Management, RSV Engineering and Greg Twelmeyer will meet on May 21 at 6:00P.M. to discuss the Miramar Drive road issue.

Chairman Stoesser presented the Town Board Appointments. Chairman Stoesser advised that he put a letter to the editor in the paper and received several calls on the positions. The people serving on the committees will be asked to serve. The appointments will be at the June meeting.

ATTORNEY'S REPORT: Attorney Mills presented the 1.04 Bylaws Ordinance. Attorney Mills presented the Board of Review Ordinance 1.09. Discussed what is vague in the ordinance and the changes. The Chairman needs to recognize anyone that wants to speak.

PUBLIC COMMENTS: Chairman Stoesser asked if there were any public comments. Robert Mueller had his hand up, but was not recognized by the Chairman.

LICENSE APPLICATIONS: Clerk Buchanan presented the Liquor License application for Local Industry, LLC.

Supervisor Klarkowski moved to approve the Class A Liquor License, for Local Industry, LLC as presented. Supervisor Montez seconded the motion. Supervisor Klarkowski moved to amend the motion to include a fee of \$20.00 to cover the time period. Supervisor Montez seconded the amended motion. The motion carried by unanimous vote.

Clerk Buchanan presented the Operator License for Thomas McCormick III, for Local Industries LLC, to be approved through June 3, 2010.

Supervisor Klarkowski moved approve the Operator License for Thomas McCormick III, for Local Industries as presented. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Clerk Buchanan presented Operator Licenses for Jennifer Jansen and Matthew Collins, for Lindey's on Beulah, to be approved through June 30, 2010.

Supervisor Montez moved to approve the Operator Licenses for Jennifer Jansen and Matthew Collins as presented. Supervisor Klarkowski seconded the motion. Supervisor Montez moved to amend the motion for the license to go through June 30, 2010. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

SPECIAL EVENTS: None.

REVIEW BILLS FOR PAYMENT:

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PENDING MEETINGS:

05/18/09 Town & Village Meeting, at the Village Hall, Boundary Agreement

05/20/09 Town & Village Meeting, at the Village Hall, Tax Assessment

05/23/09 Town & Village Meeting, at the Village Hall, Tax Assessment

05/20/09 Planning Commission Meeting, Town Hall, 7:00P.M.

06/03/09 Planning Commission Meeting, Town Hall, 7:00P.M.

06/08/09 Meet to Adjourn Board of Review, Town Hall, 6:15P.M.

06/08/09 Town Board Meeting, Town Hall, 6:30P.M.

06/17/09 Planning Commission Meeting, Town Hall, 7:00P.M.

Supervisor Montez moved to review bills for payment and adjourn the meeting at 9:00 P.M.

Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

June Town Board Minutes

June 8, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

June 8th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 33 residents.

OPEN MEETING LAW: Chairman Stoesser asked Clerk Buchanan about the agenda being posted. Chairman Stoesser advised that the agenda was posted at three places and put in the newspaper. The Town is doing the agenda in a reasonable manner.

The MINUTES: The Minutes for the Planning Commission Meeting for May 6, 2009 & May 20, 2009 meeting will be approved by the Planning Commission and then by the Town Board. Supervisor Klarkowski moved to approve the minutes from the May 6 & May 20, 2009 meeting as presented. Supervisor Montez seconded the motion. The motion carried by unanimous vote. Supervisor Klarkowski moved to approve the Town Board minutes for the May 18, 2009 meeting. Supervisor Montez seconded. The motion carried by unanimous vote. Supervisor Klarkowski moved to approve the Town Board minutes for the May 21, 2009 meeting. Chairman Stoesser seconded the motion. The motion carried by unanimous vote. May 11, 2009 Town Board minutes. Supervisor Klarkowski moved to approve the May 11, 2009 Town Board minutes as presented. Supervisor Montez seconded. Chairman Stoesser abstained. The motion carried.

Chairman Stoesser presented the Town Board minutes for the June 3, 2009 meeting. Supervisor Klarkowski moved to approve the minutes as presented. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

CHAIRPERSON REPORT: Chairman Stoesser questioned Attorney Mills on the Town Clerk signing the minutes. The Town Clerk needs to sign the Annual meeting and the Public Budget hearing.

Chairman Stoesser read an Attorney General statement on agenda laws (attached). The Supervisor Report can't be put on the agenda as presented, as the people need to know what is being presented. The Supervisor Report will not be put under public comments.

Chairman Stoesser read a letter from Lori Szolwinski, Harmony Lane, regarding the East Troy Times agenda. Lori Szolwinski questioned the most recent agenda and where to find that agenda. Supervisor Montez stated that in the past the newspaper has been the way that we publish the agenda. Past practice has been to put the agenda in the newspaper.

Clerk Buchanan needs the agenda by Monday prior to the meeting. The agenda needs to be in the Town Hall by Friday to be put in the paper by Monday before the Board Meeting. Chairman Stoesser requests all agenda items be presented to him by Thursday.

Attorney Mills stated to prepare the agenda that way and if it works, then address the ordinance, as the ordinance states five days, this would be ten days.

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Supervisor Klarkowski summarized preparing the Town Board tentative agenda for the newspaper, with the exception of an emergency that may come up.

Chairman Stoesser stated that the letter from Mrs. Szolwinski continued with a complaint of how public comments, was handled at the last Board Meeting. She stated that two people in the audience had their hand up for public comments and were ignored. She went on to state it was made very clear that no can speak except when they are recognized by the Chairman. Chairman Stoesser explained why the people were not recognized at that meeting. Discussion followed. Supervisor Montez stated that the former Chairman (Mueller) wanted to present the history of the item the Board was discussing.

Supervisor Klarkowski thought that if the former Chairman (Mueller) started going off on something that does not pertain to the town the discussion could be ended, however if he wants to present history it may be helpful to the Town Board.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the May Treasurers Report. Supervisor Klarkowski moved to approve the Treasurers Report as presented. Supervisor Montez seconded the motion. Discussion followed. Chairman Stoesser abstained. The motion carried.

REMOVAL & APPROVAL OF AGENDA ITEMS: Supervisor Montez would like to see public comments moved to the end of the agenda, just above license applications.

Supervisor Montez made a motion to have two public comments one at the end of the agenda, prior to license application. Supervisor Klarkowski seconded the motion. Discussion followed. Chairman Stoesser stated that Mr. Montez's motion was out of order.

Supervisor Klarkowski made a motion to have public comments two places on the agenda. Supervisor Montez seconded the report. Discussion followed. The motion carried by unanimous vote.

RECYCLING REPORT: None.

POLICE REPORT: Chief Surges presented the May police report.

The DEPARTMENT OF PUBLIC WORKS REPORT: Chairman Stoesser advised that Greg Twelmeyer will not be at the meeting tonight and commented on the new road project, that the project is going well.

Clerk Buchanan read a report from Greg Twelmeyer on the road project.

COMMITTEE REPORTS:

SMART GROWTH: Supervisor Montez reported that he is passing out chapter IX of the Smart Growth plan. On July 21, 2009, there will be a Smart Growth Open House, at

6:00P.M. On September 25, 2009 will be the final hearing on the Town's Smart Growth plan. The Town has made three payments to the County on the Smart Growth plan.

The FIRE DISTRICT Report: Dave Bitter reported that there was no District meeting since the last Town Board Meeting. Dave Bitter questioned the Village TIF Districts and how that will affect what the Town pays and what the Village pays towards the District budget. Chairman Stoesser said that he would speak to Dave Bitter at a different time about this.

The PLANNING COMMISSION Report: Supervisor Klarkowski presented the May 6, 2009 and the May 20, 2009 Planning Commission Report. Double D's stated that the sign issue will be addressed and several signs will be removed.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Rezone C-4 to B-3, Conditional Use, by Double D's, Cash Bar Enterprises, W1602 CTH J, PA811800001, with the hours of operation being from 10:00AM to 10:00PM, the conditional use will be subject to any incident reports with the operation. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

PUBLIC COMMENTS: Mr. Lamm, from Census Bureau, reported that the census bureau wants all municipalities partnered with the census bureau. The census bureau will have all forms to residents by March of 2010. April 1, 2010 is Census day and the census bureau wants all forms returned by that day. The census bureau wants the Town to provide a liaison person, pass a resolution/proclamation for 2010 census, and submit a letter of intent stating that the town will set up a complete count committee. The census Bureau will only use the short form for the 2010 census. The State of Wisconsin had a 75% return of census forms in 2000.

PUBLIC COMMENTS: Melanie Denhart reported on Booth Lake Memorial Park. They will have another difficult year, the shoreline has eroded and Townline Road has been closed, but the Park is open.

Kurt Wilm, Beulah Meadows Road, questioned who provides the business for the Town Attorney or who keeps him accountable.

Attorney Mills stated that the Chairman or Supervisors contact him to research issues. Discussion followed on having a written request for Attorney requests.

Kurt Wilm stated that they want a five-member board and not three board members. The Town Board needs to get along and represent the residents that elected them.

Josie Midman, Eastshore Road, had a question for Mr. Wilm. Chairman Stoesser requested that she address the Town Board and not Mr. Wilm.

Judy Skotarzak, Millsite Road, questioned who is paying for paving St. Peters Road. Chairman Stoesser advised that the Town is paying for paving of St. Peters Road and that project was approved before he was elected Chairman.

Bob Rice, Potters Lake Management, questioned the updated agenda being on the web site.

ATTORNEY REPORT: Chairman Stoesser questioned the Park Trail and authorizing a payment to R.S.V. Engineering in the amount of \$675.00 for work provided on April 25, 2009.

Attorney Mills reported on the Park Trail. The DNR funding was reallocated and the only way to continue with the trail would be the condemnation procedure, the jurisdictional letters, and the Town buying the property for the park trail.

UNFINISHED BUSINESS: Chairman Stoesser presented the 911 address signs for New Construction. The 911 address sign payment could be a line item on the Building Permit. Attorney Mills is to check the subdivision ordinance to cover the 911 sign. Attorney Mills advised that a temporary resolution could be presented, then put it in the subdivision ordinance. Supervisor Klarkowski made a motion for Attorney Mills to take a look at the subdivision ordinance, the building inspector fee and talk to Greg Twelmeyer to cover the cost of new construction 911 signs. Chairman Stoesser seconded the motion. Supervisor Montez called for a question. The motion carried by unanimous vote.

Chairman Stoesser presented the Resolution for 2009 committee appointments: (see attached). Clerk Buchanan stated that the election workers by state statute are appointed for 2009/2010. Attorney Mills stated that the Planning Commissions appointments are for two years by Town Ordinance, through 2010. State Law states that the Planning Commission is a three-year term. Supervisor Klarkowski advised that at the last Planning Commission meeting he polled all commissioners and they all want to remain as Planning Commission members. Alternate Planning Commission member Dale Labecki was not named in the Resolution. Chairman Stoesser stated that he believes that Rick Stacey could do the Town some good as Planning Commission Chairman.

Supervisor Klarkowski believes that Rick Stacey being a Town Planning Commission member and Walworth County Chairman could be a conflict of interest. Attorney Mills stated that Mr. Stacy could abstain if it became a conflict of interest on Town issues.

Attorney Mills stated that if Planning Commission members are going to be named annually that they need to be named to a specific year that they are serving.

Chairman Stoesser stated that the Alternate Commissioners would be Ken Zess, Rick Zess, Dan Zess and Dale Labecki.

Dan Zess stated that the Town needs to re-evaluate Planning Commission members and needs to state a three-year term according to State Statute. The Planning Commission should not remain status quo. Discussion followed.

Supervisor Montez stated that he believes that the Town has a fine Planning Commission and wants to keep the Planning Commission Members as it stands. All Commissioners stated that they do want to remain on the Planning Commission.

Chairman Stoesser advised that he appointed Sandy Rupka to the Park Committee and Potters Lake District Board.

Chairman Stoesser believes that people need to be on the Cable Committee, as they need to look into the Cable Contract.

Attorney Mills stated that there are several positions listed that have contracts and need to go according to the contract dates. Numbers #16, #17, #18, #19, #20, #21 will be omitted as they have contracts.

Chairman Stoesser questioned the Supervisors, asking that the committee appointments be approved. Discussion followed on an airport representative and if it would be beneficial to the Town.

Supervisor Montez stated that he would like to be added as Emergency Government CEO, with that change and the other changes presented he would approve the Resolution. Victor Kranitz and Don Trampe stated they did not want to be on the Cable committee, they only wanted the Planning Commission appointment. Supervisor Montez withdrew his motion.

Supervisor Klarkowski moved to approve the resolution. Supervisor Montez requested to add Robert Mueller to the Park Committee. Clerk Buchanan requested withdrawing #21 (election workers). Chairman Stoesser agreed with removing the election workers, as it is a separate Resolution.

Chairman Stoesser questioned having Robert Mueller on the park committee. Discussion followed on the Intergovernmental cooperation committee #16, Chairman Stoesser stated that he would be on that committee. The appointments are good through April 2010. Chairman Stoesser stated he would be comfortable with Supervisor Montez as Emergency Government CEO. Clerk Buchanan read the changes for Town Board appointments.

Supervisor Klarkowski made a motion to approve the Town board appointment as read.

Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Chairman Stoesser presented the Potters Lake No Wake Ordinance. Barry Bonneau and Bob Rice stated that the measurement of eight feet eight inches is to be the measurement for the slow no wake ordinance. The Management District will be the one that notifies the Town for the Ordinance to be activated and de-activated, along with signs posted. Chief Surges commented on the slow no wake ordinance.

Attorney Mills will follow up on this and report back to the Board in July.

Supervisor Montez made a motion to have Attorney Mills research and develop an Ordinance for Potters Lake, Slow No Wake Ordinance. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried by unanimous vote.

NEW BUSINESS: Chairman Stoesser presented doing a Revaluation of the entire Town, as he feels the Town is assessed to high. The Town possibly needs to re-evaluate the Town property. The town board will take this up at a later date.

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Updating Section 1.07 committee appointments. Supervisor Montez moved to withdraw this from the agenda.

Section 1.04, Regarding rules & Procedures of the Town Board. Supervisor Montez requests to defer this to next month.

Police Merger with Village of East Troy, Supervisor Montez moved to table to new business in July

Section 3.01(4) Police Department, Supervisor Montez moved to table Section 3.01(4) to new business in July. Chairman Stoesser seconded the motion. The motion carried by unanimous vote.

Section 3.02, Police Department. Supervisor Montez advised the merger of the Village and Town police department meeting is July 21, 2009. People need to show up at the meeting that are concerned. Discussion followed on this not being a beneficial move for the Town as far as the budget.

Chairman Stoesser advised that he believes that if the Town and Village get some dialog going they may get some issues worked out.

Clerk Buchanan presented the purchase of 20 meeting room chairs. Supervisor Montez moved to purchase 20 chairs for the meeting room, at a cost of \$1,100.00 and free shipping. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Supervisor Montez discussed the election a Vice Chairperson to the Town Board. Attorney Mills stated that a vice chairperson needs to be elected in April according to Town Code, but can be done now with out issue.

Supervisor Montez moved to elect Supervisor Klarkowski as vice chairman. Further discussion may take place in July.

PUBLIC COMMENTNS: Victor Kranitz questioned the police merger and that being similar to the fire department, the town paying 2/3 of the department budget with assessment being part of the budget equation.

Kurt Wilm questioned the jurisdictional offer on the park trail, he said the Town already paid for legal descriptions and made offers. Attorney Mills stated that they now have two sets of figures and now the town needs to make the jurisdictional offer, which is a formal offer in writing..

Bob Rice, Potters Lake Management District, questioned Sandy Rupka being appointed to the Potters Lake Board. Chairman Stoesser advised that he would be part of the Potters Lake Management Board if they would like him to.

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LICENSE APPLICATIONS: None.

SPECIAL EVENTS: None

PENDING MEETINGS:

06/17/09 Planning Commission Meeting, Town Hall, 7:00P.M.

07/01/09 Planning Commission Meeting, Town Hall, 7:00P.M.

07/13/09 Town Board Meeting, Town Hall, 6:30P.M.

07/23/09 Smart Growth Meeting, Town Hall, 6:00P.M.

07/23/09 Towns Association Meeting, Town Hall,

07/15/09 Planning Commission Meeting, Town Hall, 7:00P.M.

REVIEW BILLS FOR PAYMENT: Chairman Stoesser, Clerk/Treasurer Buchanan, presented the following bills for payment, Miller Bradford needs two checks for the loader and plow. RSV Engineering, \$272.10 for reviewing the roadwork. Discussion followed on rejecting the bill.

Municipal Well and Pump, for hydrant flushing for Sanitary #3.

Attorney Mills advised that a Pier Variance request and fee have been submitted for the Feeney Pier that does not comply to the ordinance and will be discussed at the July Meeting

Supervisor Klarkowski moved to adjourn the meeting at 9:55 P.M. Chairman Stoesser seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

July Town Board Minutes

July 13, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

July 13th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 35 residents.

OPEN MEETING LAW: Chairman Stoesser asked Clerk Buchanan about the agenda being posted. Chairman Stoesser advised that the agenda was posted at three places and put in the newspaper.

The MINUTES: The Minutes for the for June 8th, 2009 Town Board Meeting were presented. Supervisor Montez requests the supervisor's report be added to the agenda. Chairman Stoesser stated that specific items need to be listed. Supervisor Montez stated that review and approval of the agenda is #16 and it needs to be right after open meeting law.

Supervisor Montez made a motion to have Review & Approve the agenda after Open Meeting Law. Supervisor Klarkowski seconded the motion. Chairman Stoesser advised motion and second was out of order. Chairman Stoesser stated he does not agree with the motion, but it is a viable motion. The motion carried, Supervisor Montez in favor, Supervisor Klarkowski in favor, Chairman Stoesser abstained.

Supervisor Montez made a motion that Supervisors can comment on agenda items. Supervisor Klarkowski seconded the motion. Chairman Stoesser tabled the item to next month's meeting and he will have a written statement from the Attorney. Supervisor Montez stated that Supervisor's have a right to debate anything on the agenda. Attorney Mills stated that the majority of the board voted on the motion. Chairman Stoesser stated that the motion carried.

Supervisor Montez moved to dispense of the approval of the minutes to the next month's meeting. Supervisor Klarkowski seconded the motion. The motion carried, Supervisor Montez in favor, Supervisor Klarkowski in favor, Chairman Stoesser abstained.

CHAIRPERSON REPORT: Chairman Stoesser advised that there was inappropriate language used several times at last months meeting. The Town can't have inappropriate language used at Town Meetings.

Chairman Stoesser advised that Town taxes are going to increase unless we take aggressive action to reduce spending. Chairman Stoesser is requesting all Town Departments cut their budgets 10%. The Town needs a representative to the School Board to request that they cut their budget. Chairman Stoesser is going to request that the Town not proceed with the Park Trail in order to cut spending.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the June Treasurers Report. Discussion followed on the renewal of the Landfill C.D. Chairman Stoesser is concerned about having the money in one bank, he would like to split the money up into several banks. Discussion followed.

Chairman Stoesser made a motion that the amount in each account not exceed the safety amount limits of the FDIC of \$250,000. The Town will have a Special meeting to review quotes on the C.D. accounts. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried by unanimous vote.

Supervisor Klarkowski moved to approve the Treasurers Report as presented. Supervisor Montez seconded the motion. Discussion followed. The motion carried by unanimous vote.

RECYCLING REPORT: None.

POLICE REPORT:

Attorney Blackbourn, stated that he will be presenting the Tim Feeney Pier Variance. Attorney Blackbourn asked that Chairman Stoesser abstain from voting on the variance request, as they do not feel Chairman Stoesser can be impartial, as he brought the complainant against Mr. Feeney. Attorney Mills stated he believes it is a fair request and if Chairman Stoesser does not abstain from voting it may not be considered a fair hearing. This Variance was not argued before the Municipal Judge, as the Variance is being heard before the Town Board.

Supervisor Klarkowski stated that Attorney Blackbourn made complete sense for Chairman Stoesser to abstain from voting on the Variance. Supervisor Montez stated that it would be a conflict of interest for Chairman Stoesser to vote on the Variance. Attorney Mills stated he agrees with Supervisor Montez and Supervisor Klarkowski.

Chairman Stoesser stated that he will conduct the hearing, but will not vote on the Variance.

Attorney Blackbourn stated that that would be agreeable at this time. Attorney Blackbourn will get two minutes after the hearing for a rebuttal. Chairman Stoesser is also requesting time to speak after the statements have been presented. Attorney Mills stated that that is the recognized procedure.

Attorney Blackbourn, stated that Mr. Feeney has presented a statement (attached to application) for the Pier Variance at W1773 Lake Road. In support of requested pier Variance, the pier has been in existence since 1984. Jerry's Pier Service stated that the pier at W1773 Lake Road, was built in 1984. Chief Surges submitted a letter to the Town Board that the property does have a valid pier permit on file from 1994 (drawing). Attorney Blackbourn presented pictures of the pier. Attorney Blackbourn presented a closing statement, stating that the pier doesn't interfere with navigation and no harmful elements exist.

Supervisor Klarkowski asked if all information was passed onto the DNR for the pier.

In Favor of the Feeney Pier:

1. Josie Midman, East shore Road, believes whatever pier has a grandfather permit should be approved.
2. Mel Grahm, Lake Road, a neighbor, stated the pier does not bother him or interfere with his view. It does not bother his sister who resides three doors down.

3. Charlene Grahm, Lake road, discussed the grandfather issue on pier permits and believes that the Feeney pier should be allowed.

4. Judy Skotarzak, Millsite Road, asked what is the variance he is asking for, from the waters edge it is 52', making the variance approximately two feet.

Chairman Stoesser stated that he can't navigate pass the pier and boats.

5. Laura Megher, Romadka Park Road, stated it bothers her about the attitude in the neighborhood about the pier issue. She would like this put to rest and neighbors should not be considering relocating over these issues. It has always been un-navigable to get around in the area.

Attorney Mills read Chief Jim Surges letter to the Town Board in reference to the Feeney Pier Variance (attached).

Chairman Stoesser presented the first letter from the Police Chief from 2008 (attached). He stated the problem to him is the navigation issue (pictures will be on file at the Town Hall). He stated that in his opinion they have not demonstrated a hardship for the need of the variance. He stated that this sends a strong message about the ordinance and the lake. Chairman Stoesser asked if there was anyone that wanted to speak in opposition other than him self. No one spoke in opposition.

Attorney Mills stated that according the Municipal Code the Town Board options are to approve the variance, deny the variance or approve it for one year.

Supervisor Montez questioned the grandfather issue and if a variance is needed.

Attorney Blackbourn stated that there is no DNR permit (grandfather), the permit was filed in 2008. The DNR stated that they have no objection, but due to budget problems they will not have anyone to look at the pier.

Supervisor Klarkowski questioned the permit application on file from Jerry's Pier Service and the validity of the information submitted. The pier was lengthened and the platform put on by a prior owner of the property.

Attorney Blackbourn presented his rebuttal. He addressed the July 2009 letter from the Chief and the grandfather issue presented by Supervisor Klarkowski. The photographs submitted for record shows that Chairman Stoesser would have no problems navigating and there is plenty of room.

Attorney Blackbourn stated that Chief Surges is not a registered land surveyor and they have presented exact dimensions.

Chairman Stoesser asked that the Supervisors look at all photographs presented.

Attorney Blackbourn presented what was admitted into record (attached).

Chairman Stoesser presented what was admitted into record in opposition (attached).

Supervisor Klarkowski stated that the pier permit in front of them had no platform on the pier, the size of the platform is an issue and should be reduced to the proper size.

Supervisor Montez believes that the size of the platform needs to conform and addressed the concerns over the interference with the navigable water.

Attorney Mills stated that Municipal Court states the Town has 30 days to come with an agreement.

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Supervisor Klarkowski made a motion that the pier variance requested by Tim & Lisa Feeney be denied for the following reasons:

- #1. That no evidence has been provided that the pier as originally permitted in 1984 was actually built to the configuration now existing
2. The original permit application stated a 50' pier, it is approximately 52' long, the platform does not exist and the platform also exceeds the size reported, as listed.
- #3. The third part of this denial is that I recommend that the two attorney's, the Town Attorney and the Attorney for the Feeney's, get together and come to an agreement on the time required to bring this pier into conformance. I believe that the 30 days, whether agreed to or is not an unnecessary hardship and if this change would have been made by the property owner that currently lives there, I would not feel that way, but he did not put the extension on the pier, somebody else did. So I will strongly suggest that a reasonable time period for bringing this into conformance, not to exceed pier erection in spring 2010. Supervisor Montez seconded the motion. Discussion followed. The motion carried by unanimous vote. Roll Call vote:
Supervisor Klarkowski - yes. Supervisor Montez - yes, to deny the variance.

The DEPARTMENT OF PUBLIC WORKS REPORT: Greg Twelmeyer stated the re-paving project is almost completed. They will do South Shore Drive Tuesday or Wednesday. Amon submitted the first request for payment and that will be authorized tonight. Discussion followed on the weight limits on St. Peters Road, Division Road and Stringers Bridge, along with them being a Class B highway.

Chairman Stoesser made a motion to move the agenda item on Mr. & Mrs. Poznanski, Townline Road, flooding issue to the next item. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Mrs Poznanski stated the back yard is flooding from Booth Lake. Pictures were presented to the Town Board on the flooding.

Greg Twelmeyer stated that he contacted Walworth County Zoning and they stated that the homeowner needs to apply for the permit, the engineer, the impact study needed and the fill operation. The DNR reviews the plan on the soil disturbance.

Attorney Mills stated that this was not budgeted for. Diverting water would create an issue for the Town. Faye Emerson at Walworth County would be aware of any grant money available through FEMA on the flooding issue.

COMMITTEE REPORTS:

SMART GROWTH: Supervisor Montez reported that all Chapters have been submitted to the Planning Commission. Tuesday, July 21, 2009 will be a presentation by SEWRPC and Walworth County on the Smart Growth Plan at 6:00P.M.

The FIRE DISTRICT Report: Dave Bitter reported the CPA's audit will be completed in August. The Municipal Agreement has been reviewed by the district and will be presented to the Municipalities. The District will be contracting with eBix for billing, with a decrease in cost and a more efficient service.

The PLANNING COMMISSION Report: Supervisor Klarkowski presented the July 1, 2009 Planning Commission Report.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Land Division, N9147 Stone School Road, PET1100044, by Martin

Rozeski. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Rezone R-1 to A-4, N7854 Townline Road, PTHE00055, by Harold Leasure, subject to complying with all prior Zoning agreements between Harold Leasure and Walworth County Zoning. Supervisor Montez seconded the motion. Mr. Fouad Saab of Troy Hills Estates, stated that they had an agreement for the building to be removed. Chairman Stoesser abstained. The motion carried.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Lot Line Adjustment, combining two parcels, W1240 CTH L, PET1500005D & PET1600008A, by Jason and Kathy Bartlett. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Master Plan Update on Buildings, W1741 CTH J, PET500003, by Henry Monsky/B'Nai B'rith Beber Camp. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

PUBLIC COMMENTS: Bob Mueller stated that at the May Town Board meeting there was a letter from the Village of East Troy, President Loesch, about meetings to be set up with the Town. Bob Mueller questioned Chairman Stoesser on prior to reading that letter did the Chairman check with the Supervisors and Planning Commission members who were aware of the Village's intentions. Bob Mueller asked Chairman Stoesser if he would be willing to go back and check with those members. Chairman Stoesser thanked him for his comment.

Dick Dow, Lake Beulah Management, questioned any public input at the Smart Growth hearing prior to the Smart Growth approval by the Town. There will be summary presentations and anyone can bring up changes. The entire Smart Growth plan is on the Walworth County website and is also available at the Town Hall. The Smart Growth plan will take effect January 2010.

ATTORNEY REPORT: Attorney Mills asked Bob Rice, Potters Lake Management, if the District wants the no wake ordinance tabled to September. Bob Rice stated that yes they do want it tabled at this time, as they are looking at getting more information regarding water levels and when to put the no wake into effect.

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Chairman Stoesser moved to table the Potters Lake no wake Ordinance to the September Town Board Meeting. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Attorney Mills read Ordinance 2009-01, amending and recreating 12.01(2), pertaining to penalties and deposits.

Supervisor Klarkowski moved to approve Ordinance 2009-01 as read and amended. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Attorney Mills reported that he received a contact number for Troy Hills Estates and the issue has been taken care of with R.S.V. Engineering.

UNFINISHED BUSINESS: Chairman Stoesser presented the Town appointments for Planning Commission members:

In their 2nd term are: Chairman Kranitz, Commissioner Zelenski, Commissioner Trampe, and Commissioner DeGrave, Expiring in 2011.

In their 3rd term are: Commissioner Midman and Stark, Expiring in 2010.

In his 1st term is: Commissioner Klarkowski, Expiring 2012.

Alternate Commissioners do not have terms, they are simply appointed to the position.

Supervisor Klarkowski stated that he checked with the Planning Commission members and they do not want Dan Zess as a Planning Commission member due to the language used at the last Town Board meeting.

Supervisor Klarkowski moved to approve Resolution 2009-12 as presented with the removal of Dan Zess as an alternate Commissioner. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Attorney Mills stated that new residences would pay \$73.86 for the 911 signs.

Chairman Stoesser made a motion for Attorney Mills to prepare a Resolution on the installation of the new construction 911 signs, at \$73.86 per sign. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Chairman Stoesser made a motion to table the Park Trail and possible action to next month's meeting. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

NEW BUSINESS: Chairman Stoesser presented Keith Munson, National Appraisal, to discuss the assessment issue.

Keith Munson stated that Supervisor Montez brought material for residents to go over on the assessment procedure. No one knows where the housing market is going at this time. Keith Munson reported that house values have dropped around 2% and are close to 100%. The Department of Revenue made adjustments to equalized value in 2007 and in 2008 half that amount was put back on equalized value, to get it back to where it was.

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Keith Munson stated that Open Book will be the second week of August, with Board of Review the end of August.

Supervisor Montez reported on the Smart Growth Public Hearing preparations. Chairman Stoesser made a motion to put the Smart Growth Public Hearing preparations forward to August agenda. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Attorney Mills presented the documents from First Citizens State Bank for the Road Work Loan for signatures.

Supervisor Montez stated that he did request action/vote for Town Vice Chairperson. Chairman Stoesser stated that this would have to have been done immediately after the election and it was not done in the proper time period.

REVIEW & APPROVAL OF AGENDA: Discussion on where it needs to be on the agenda.

PUBLIC COMMENTS: Bob Rice, Potters Lake, requested to know the appointment representative by the Town Board, as the Lake Management does not know who the person is or how to contact her.

LICENSE APPLICATIONS: Clerk Buchanan presented Temporary Operator Licenses for Mike Barutha, Steve Bartle and Todd Scheel, for the East Troy Emergency Services street dance on August 8, 2009. Supervisor Montez made a motion to approve the licenses as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

SPECIAL EVENTS: Clerk Buchanan presented the East Troy Emergency Services Special Events permit for their Street Dance on August 8, 2009. Supervisor Montez moved approve the Special Event permit as presented. Supervisor Klarkowski seconded the motion. Carried by unanimous vote.

Chairman Stoesser questioned Town Board members about meeting with Attorney Mills over issues that need to be discussed.

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PENDING MEETINGS:

07/21/09 Special Town Board Meeting, 5:15P.M., Town Hall
07/21/09 Smart Growth Meeting, 6:00P.M., Town Hall
07/23/09 Town's Association Meeting, 6:30P.M., Town Hall,
07/27/09 Combined police department meeting, 6:30P.M. Village Hall
08/05/09 Planning Commission Meeting, 7:00P.M., Town Hall
08/10/09 Town Board Meeting, 6:30P.M., Town Hall
08/19/09 Planning Commission Meeting, 7:00P.M. Town Hall

REVIEW BILLS FOR PAYMENT: Clerk/Treasurer Buchanan, presented bills for payment:

Supervisor Klarkowski moved to adjourn the meeting at 9:45 P.M. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

August Town Board Meeting

August 10, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

August 10th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M.

Present: Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 20 residents.

OPEN MEETING LAW: Open Meeting Law complied with.

REPORT OF CHAIRPERSON: 2010 Budget and Citizen Letter.

The MINUTES: Motion by Supervisor Klarkowski, second by Supervisor Montez to approve the Minutes. Motion carried.

June 8th, 2009 Town Board Meeting, as corrected.

July 13th, 2009 Town Board Meeting, as corrected.

July 21st, 2009 Town Board Meeting

July 23rd, 2009 Town Board Meeting

Motion by Supervisor Montez to abbreviate the Town Board Minutes, get to the point without substantial commentary, second by Chairman Stoesser. Motion carried.

REVIEW & APPROVAL OF AGENDA: Motion by Supervisor Montez, second by Supervisor Klarkowski to defer action on the park trail to the annual budget meeting for the Town electors to approve. Chairman Stoesser voted against the motion. The motion carried.

The TREASURERS Report: Motion by Supervisor Montez, second by Supervisor Klarkowski, to purchase a hard drive for the computer for \$795.00 and prices on hard drive and off site back up. Motion carried.

Supervisor Montez made a motion to approve the Treasurers Report as presented. Supervisor Klarkowski seconded the motion. The motion carried.

RECYCLING REPORT: Recycling report presented.

POLICE REPORT: Discussed Miramar Subdivision issues

Motion by Chairman Stoesser to go forward with the Booking agreement with the Village of East Troy and for the Town Attorney to contact the Village Attorney, Attorney Gray, on the wording in the agreement, second by Supervisor Klarkowski. Motion carried.

The DEPARTMENT OF PUBLIC WORKS REPORT: Motion by Supervisor Montez, second by Supervisor Klarkowski for Attorney Mills to research and amend the Ordinance on Class B highways for weight limits on St. Peters road, Division road & Stringers Bridge Road. Motion carried.

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COMMITTEE REPORTS:

SMART GROWTH: report presented.

The FIRE DISTRICT Report: None.

The PLANNING COMMISSION Report:

Supervisor Klarkowski made a motion to approve the Conditional Use, CTH ES, PET300007, by Kevin Hellenbrand. Supervisor Klarkowski seconded the motion. The motion carried.

Supervisor Klarkowski made a motion to approve the Rezone A-1 to A-2, Lot Line adjustment, W598 Bell School Road, PET14000014A, by Ken Zess. Supervisor Montez seconded the motion. The motion carried.

Supervisor Klarkowski made a motion to approve the Conditional Use/Home Office, W1252 Beulah Lane, PET300007, by Todd Garrett. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

PUBLIC COMMENTS: #1. Park Trail

#2. Chamber of Commerce/Historical Society Run

UNFINISHED BUSINESS: Discussion on the Park Trail.

Motion by Supervisor Montez to install Children at Play Signs on Spleas Skoney Road, second by Supervisor Klarkowski. Motion carried.

Motion by Supervisor Klarkowski, second by Chairman Stoesser for the Town Attorney to draft an ordinance for five stop signs in the Miramar Subdivision and the Police Chief reviewing the signs. Motion carried.

NEW BUSINESS: Discussion on Sanitary District #3 chlorinating

ATTORNEY REPORT: Motion by Supervisor Montez, second Supervisor Klarkowski to approved Resolution 2009-13, Establishing Cost of 911 address signs for new construction. Motion carried.

Motion by Chairman Stoesser, second by Supervisor Montez to authorize the Town Attorney to draft an Ordinance for the Planning Commission and Town Board to adoption of Smart Growth Plan.

PUBLIC COMMENTNS: Park Trail.

LICENSE APPLICATIONS: None.

SPECIAL EVENTS: Motion by Supervisor Klarkowski, second by Chairman Stoesser to approve the special event for Scott Rollins, W254 Miller Road, August 22, 2009, 4:00P.M. to 12:00A.M., wedding reception. Motion carried.

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PENDING MEETINGS:

08/19/09 Special Town Board Meeting, 6:30P.M., Town Hall
08/19/09 Planning Commission Meeting, 7:00P.M., Town Hall
09/03/09 Planning Commission Meeting, 7:00P.M., Town Hall
09/08/09 Open Book, 2PM to 6PM, Town Hall
09/12/09 Town Board Meeting, 6:30P.M., Town Hall
09/16/09 Planning Commission Meeting, 7:00P.M. Town Hall
09/21/09 Board of Review, 6:00P.M., Town Hall
09/24/09 Smart Growth Public Hearing, 7:00P.M., Town Hall
09/28/09 Combined Town & Village Meeting, 7:00P.M., Town Hall

REVIEW BILLS FOR PAYMENT:

Supervisor Montez moved to adjourn the meeting at 8:55 P.M. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

September Town Board Meeting

September 14, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

September 14th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 35 residents.

OPEN MEETING LAW: Chairman Stoesser asked Clerk Buchanan about the agenda being posted. Chairman Stoesser advised that the agenda was posted at three places and put in the newspaper.

REPORT OF CHAIRPERSON: Chairman Stoesser reported he is passing on the Park Trail discussion.

The MINUTES: Supervisor Klarkowski approve the August 19, 2009 Special Town Board Minutes, August 10, 2009, Town Board Minutes, September 2, 2009 Planning Commission Minutes, August 5, 2009 Planning Commission Minutes, and August 19, 2009 Planning Commission Minutes as presented. Supervisor Montez seconded the motion. The motion carried.

REVIEW & APPROVAL OF AGENDA: Chairman Stoesser advised that 16c on the agenda, the disposal of recording tapes needs to be discussed further. The Historical Society has not replied to the Town. Supervisor Montez objected to taking agenda items out of order. Chairman Stoesser stated that the tapes should not be destroyed at this time. There is a law suit going on with Mr. Mueller and himself and the documentation may be needed. Chairman Stoesser made a motion that this issue be dropped and not be brought back for at least a year. Clerk Buchanan advised that the Town Ordinance states that the tapes need to be kept 90 days and then disposed of. Chairman Stoesser requested copies of everything to be disposed of.

Chairman Stoesser stated agenda item 15c, several issues of employee performance/closed session, would take at sometime. Supervisor Montez objected to agenda items being taken out of order. Chairman Stoesser made a motion to have a special closed meeting September 16, 2009. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried. Supervisor Klarkowski questioned the item he requested on the agenda, appropriate people at the closed session, was not on the agenda.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the August Treasurers Report. Walworth County Dog License fees 2010 increasing to \$8.00 and \$11.00, the Town ordinance needs to be updated to include this. Supervisor Klarkowski made a motion to update the Dog License ordinance. Supervisor Montez seconded the motion. The motion carried.

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RECYCLING REPORT: Clerk Buchanan reported that Chuck Esposito completed the grant application and it was filed. The efficiency grant has been discontinued, which is a decrease of approximately \$5,000.00 for the Town.

LIBRARY REPORT: Phil Taugher reported that the Library continued to be busy last month. There will be no increase for the 2010 Library budget. The computers have been busy with people looking for jobs.

POLICE REPORT: Chief Surges presented the AUGUST police report.

Court Reporter in attendance.

Chief Surges presented the Pier Variance, Scott Plier, N8991 E. Miramar Drive. Discussion followed.

Mike buchek, E. Miramar Drive, presented a letter from his realtor and a survey showing that the pier encroaches on his property and is in violation of the Town ordinance.

Mr. Plier advised the pier was constructed approved nine years ago. Lakeshore pier service installed the pier this year and the pier was not centered as in the past, which put it close to the property line.

Bob Rice, Potters Lake Management District, presented numerous pictures of the area and stated that the Management District has no opinion for or against the pier, as it would be a neighbor issue.

Attorney Mills suggested Mr. Plier resubmit the application.

Supervisor Montez moved to deny the pier variance as presented, as there is insufficient information and it does not comply to the Town Ordinance, there is not sufficient information on the application, there is no hardship and a workable solution.. Supervisor Klarkowski seconded the motion. The motion Carried.

The DEPARTMENT OF PUBLIC WORKS REPORT: None.

SMART GROWTH: Supervisor Montez reported that the Smart Growth open house will be September 24, 6:00PM, with the Public Hearing at 7:00PM.

The FIRE DISTRICT Report: Supervisor Montez read a letter from David Bitter to the Town Board on the East Troy Emergency Services.

The PLANNING COMMISSION Report: Supervisor Klarkowski presented the August and September Planning Commission Minutes.

The first item on the agenda was a rezone A-2 to A-5, N8750 Thiede Road, PET1300002, by Brian Godfrey and Rick Stacey.

Attorney Mark Saggen representing Brian Godfrey and Rick Stacey presented information on the rezone application. Walworth County Zoning administrator advised that something needed to be done as it is not zoned properly when the remaining property went into wetlands. Attorney Saggen gave the background on the rezone attempt.

Don Trampe (Planning Commission member), stated the rezone was rejected as A-5 does not meet the Town Land Use plan and the proposed Smart Growth plan.

Supervisor Montez stated that the Board is not capable of addressing the rezone issue tonight and needs to be turned back over to the Planning Commission.

Victor Kranitz (Planning Commission Chairman) stated that it can be brought back to the Planning Commission if it is a different proposal.

Supervisor Klarkowski stated that the parcel created by the transfer of land to the DOT needs a rezone to fix the problem with the new proposal going back to the Planning Commission to conform to the Land Use Plan. Supervisor Montez seconded the motion. The motion carried.

Supervisor Klarkowski moved to accept the recommendation from Double D's and expand the hours to 10:00A.M., as the Conditional Use was approved. Supervisor Montez seconded the motion. The motion carried.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the rezone C-4 to R-1, W2294 West Bay Road, PET1800008A, by Robert Schnick. Supervisor Montez seconded the motion. The motion carried.

Supervisor Klarkowski moved to accept the Planning Commission recommendation and approve the farmland separation, W570 Bell School Road, PET1400014, by Rick & Karen Jordan. Supervisor Montez seconded the motion. The motion carried.

PUBLIC COMMENTS: Robert Mueller stated that his lawsuit is personal only and it is not involving the Town. He believes that e-mails requiring a response will make it public record, he believes that the Town should not conduct business by e-mails.

Chairman Stoesser presented several public records request.

Glen Wilm questioned what is being done about the park trail. Discussed the Army Lake Park being used for the Town trail.

Supervisor Montez advised the Park Trail can be put on the agenda, at this time it is public comments only.

UNFINISHED BUSINESS: Clerk/Treasurer Buchanan presented ICT computer back up proposal. Supervisor Klarkowski made a motion to have the secured off site back. Supervisor Montez seconded the motion. Discussion followed. The motion carried.

Attorney Mills presented the Booking Agreement with Village of East Troy and the proposed changes. The changes will be forwarded to Attorney Gray.

Attorney Mills read proposed Ordinance 2009-02, Section 6.03, pertaining to Stop Street designation, five stop signs in the Miramar Subdivision.

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Supervisor Klarkowski made a motion to approve Ordinance 2009-02 as read. Supervisor Montez seconded the motion. The motion carried. Supervisor Montez moved to waive the second reading of the Ordinance. Supervisor Klarkowski seconded the motion. The motion carried.

Attorney Mills read proposed Ordinance 2009-03, Section 6.17, Class B Highways
Supervisor Montez moved to approve Ordinance 2009-03 as read. Supervisor Klarkowski seconded the motion. The motion carried. Supervisor Klarkowski moved to waive the second reading of the Ordinance. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

Attorney Mills read proposed Ordinance 2009-04, Section 12.01(14)(b) XI, Speed Restriction on Potters Lake.
Supervisor Klarkowski made a motion to approve Ordinance 2009-04 as read. Supervisor Montez seconded the motion. The motion carried unanimously. Supervisor Klarkowski moved to waive the second reading of the Ordinance. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

NEW BUSINESS: Discussion followed on changing the October Board Meeting. Supervisor Montez made a motion to have the meeting October 5, 2009 at 6:30P.M. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Supervisor Klarkowski made a motion to have the Town Attorney review and update the Town Ordinances starting with Chapter 1. Supervisor Montez seconded the motion. The motion carried.

Attorney Mills will have the Smart Growth Ordinance ready for the Public Hearing. The official Town map will be attached.

Clerk/Treasurer Buchanan stated that the Town Investment Policy, Resolution 2009-15, is being presented to the Board. Discussion followed.

Chairman Stoesser presented the Wilm complaint, the welding sign. Glen Wilm requested to know who the complaint came from. Discussion followed.

ATTORNEY REPORT: Attorney Mills advised jurisdictional letters are ready for park trail. The jurisdictional letters need to be discussed at special Town meeting.

PUBLIC COMMENTS: John Murphy St, Peters road, questioned the Land Use Plan. Bob Rice questioned the ordinance for the stop sign violations. Questioned seasonal residents having pick up on a different day of the week.

Glen Wilm, CTH J, questioned the Park Trail.

Clerk/Treasurer Buchanan advised that Viola is going to be at next meeting to discuss garbage and recycling pick up.

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LICENSE APPLICATIONS: None.

SPECIAL EVENTS: Clerk Buchanan

PENDING MEETINGS:

09/16/09 Special Board Meeting, 7:00P.M., Town Hall
09/21/09 Board of Review, Town Board, 6:00P.M., Town Hall
09/24/09 Smart Growth Public Hearing, 6:00P.M., Town Hall
09/28/09 Joint meeting with Town Board and Village Board, Village Hall
09/30/09 Budget Workshop, 6:30P.M., Town Hall
10/05/09 Town Board Meeting, 6:30P.M., Town Hall
10/07/09 Planning Commission Meeting, 7:00P.M., Town Hall
10/08/09 Budget Workshop, 6:30P.M., Town Hall
10/21/09 Planning Commission Meeting, 7:00P.M., Town Hall

REVIEW BILLS FOR PAYMENT: Clerk/Treasurer Buchanan, presented bills for payment:

Supervisor Klarkowski moved to adjourn the meeting at 9:00 P.M. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

October 2009 Minutes

October 5, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

October 5th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 20 residents.

OPEN MEETING LAW: Chairman Stoesser asked Clerk Buchanan about the agenda being in compliance and it is.

The MINUTES: Supervisor Klarkowski approve the following Minutes as presented:

September 14, 2009 Town Board Meeting

September 14, 2009 Sanitary District #3 Meeting

September 16, 2009 Special Board Meeting

September 21, 2009 Board of Review Meeting

September 24, 2009 Smart Growth Meeting

September 28, 2009 Joint Village & Town Consolidation Meeting

Supervisor Montez seconded the motion. The motion carried.

REVIEW & APPROVAL OF AGENDA: Supervisor Montez made a motion to defer the Town Ordinances to the November Meeting. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried.

Clerk/Treasurer Buchanan advised that she changed item 15c on the agenda, stating discussion and action on the auditor.

Chairman Stoesser made a motion that item 15c on the agenda not be acted on tonight, as it needs to be discussed. The motion failed.

Supervisor Klarkowski made a motion to approve the agenda as printed. Supervisor Montez seconded the motion. Chairman Stoesser voted no. The motion carried.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the September Treasurers Report.

Supervisor Montez moved to approve the Treasurers Report as presented. Supervisor Klarkowski seconded the motion. The motion carried.

Clerk/Treasurer Buchanan presented the budget reallocations (see attached).

Supervisor Montez moved to have the Town attorney prepare a resolution for the reallocations for the November meeting. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried.

RECYCLING REPORT: None.

LIBRARY REPORT: None.

POLICE REPORT: Chief Surges presented the SEPTEMBER police report.

The DEPARTMENT OF PUBLIC WORKS REPORT: None.

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SMART GROWTH: Supervisor Montez reported that at the Smart Growth, September 24, 2009, the Smart Growth plan was approved by the Town. The plan will now go to the County and then the State for approval.

The FIRE DISTRICT Report: Dave Bitter reported that the District has requested the funds to purchase the new ambulance by the end of October. The 2010 budget is 10% lower than 2009. The District will be giving the Town a credit of \$22,000 for 2010. The District is preparing a new municipal agreement, among other changes to give the District the ability to keep more money in reserve.

The PLANNING COMMISSION Report: None.

PUBLIC COMMENTS: Robert Mueller stated that he made an open records request of Chairman Stoesser and has not received it to date and just presented Chairman Stoesser with a second request.

UNFINISHED BUSINESS: Chairman Stoesser made a motion that the decision to continue the Park Trail construction be entrusted to a referendum vote in the April 2010 Election. Discussion followed. Kerri & Kurt Wilm commented on the motion. Supervisor Montez & Klarkowski commented on the motion and the history of the Park Trail, along with Attorney Mills. Supervisor Montez seconded the motion. Discussion followed. The motion carried by unanimous vote.

Clerk/Treasurer Buchanan presented the Computer back up information.

Clerk/Treasurer Buchanan presented Resolution 2009-15, the Town Investment Policy. Supervisor Montez moved to approve Resolution 2009-15 as read. Supervisor Klarkowski seconded the motion. Discussion followed. Supervisor Montez called a question. Chairman Stoesser opposed the motion. The motion carried.

NEW BUSINESS: Chairman Stoesser made a motion to have the new revaluation of Town property assessments put on a Public Referendum at the April 2010 election for Town citizens to participate in determining the matter. No second to the motion. The motion failed.

Veolia waste haulers presented several cost saving proposals for the Town to consider. Veolia will send a letter stating the proposals for the Town to consider in November.

Clerk/Treasurer Buchanan presented the auditors proposals.

Supervisor Montez made a motion to accept option #4 of the auditing service. Supervisor Klarkowski seconded the motion. Discussion followed. Chairman Stoesser abstained. The motion carried.

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ATTORNEY REPORT: Attorney Mills presented the revised amendments that need to be initialed for the Road Work Loan with First Citizens State Bank.

Supervisor Klarkowski made a motion to approve the amendments needed for the Road Work Loan with First Citizens State Bank. Supervisor Montez seconded the motion. Discussion followed. The motion carried.

Attorney Mills presented an update on the Park Trail Jurisdictional offers.

Attorney Mills read Ordinance 2009-06, amending & recreating Section 8.05(3)(a)-(d) of Municipal Code relating to Dog License Fees.

Supervisor Montez moved to waive the second reading of Ordinance 2009-06. Supervisor Klarkowski seconded the motion. The motion carried.

Supervisor Klarkowski made a motion to approve Ordinance 2009-06. Supervisor Montez seconded the motion. The motion carried.

PUBLIC COMMENTS: Robert Mueller, Humphrey Lane, discussed the revaluation.
Kurt Wilms, CTH J, discussed the cost of the Park Trail.

LICENSE APPLICATIONS: None.

SPECIAL EVENTS: None.

PENDING MEETINGS:

10/07/09 Smart Growth Public Hearing, 6:00P.M., Town Hall
10/07/09 Planning Commission Meeting, Town Hall, 7:00P.M.
10/08/09 Budget Workshop, Town Hall, 6:30P.M.
11/04/09 Planning Commission Meeting, Town Hall, 7:00P.M.
11/09/09 Town Board Meeting, Town Hall, 6:30P.M.
11/10/09 Budget Public Hearing, Town Hall, 7:00P.M.
11/18/09 Planning Commission Meeting, Town Hall, 7:00P.M.

REVIEW BILLS FOR PAYMENT: Clerk/Treasurer Buchanan, presented bills for payment:

Supervisor Klarkowski moved to adjourn the meeting at 8:30 P.M. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

November Minutes

November 10, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

November 9th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 23 residents.

OPEN MEETING LAW: Chairman Stoesser asked Clerk Buchanan about the agenda being posted. Chairman Stoesser advised that the Town could possibly have an illegal agenda. Attorney Mills commented on the illegal agenda issue. Supervisor Klarkowski explained about the Rick Stacy item on the agenda. Chairman Stoesser stated that Clerk/Treasurer Buchanan is not to post the agenda. Attorney Mills stated that the agenda is the job of the Clerk.

Supervisor Montez moved to adjourn the meeting to next Monday. Supervisor Klarkowski seconded the motion. The motion carried at 7:00P.M.

TOWN OF EAST TROY

Second November Board Meeting

November 16, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

November 16, 2009 at 6:30P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 24 residents.

OPEN MEETING LAW: Chairman Stoesser asked Clerk Buchanan about the agenda being posted. Attorney Mills stated that the Chairman is able to appoint a person to post the agenda. The Clerk needs to post certain agendas. The clerk and two Supervisors are able to add to the agenda.

The MINUTES: Supervisor Klarkowski moved to approve the October 5, 2009 Town Board Minutes and October 2, 2009 Planning Commission Minutes as presented. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

REVIEW & APPROVAL OF AGENDA: Supervisor Montez presented a motion (written) to delete 15a, 15d and 15e under New Business. Supervisor Klarkowski seconded the motion. Discussion followed. Chairman Stoesser voted no. The motion carried. Supervisor Klarkowski read a letter from David Bitter requesting to withdraw the EMS agreement. Supervisor Klarkowski made a motion to postpone 11a to a later date. Supervisor Montez seconded the motion. The motion carried by unanimous vote.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the October Treasurers Report. Supervisor Montez moved to approve the treasurer report as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote. Clerk/Treasurer Buchanan reported on donating the revenues from the Humane Society issuance of dog tags (minimal) to Walworth County Humane Society. Supervisor Montez made a motion to donate the revenues from dog tags issued by the Human Society to the Humane Society. Supervisor Klarkowski seconded the motion. The motion carried.

RECYCLING REPORT: None.

LIBRARY REPORT: Phil Taugher advised the library remains busy. The computer service at the library is busy with people looking for jobs. The Library does provide a computer learning service.

POLICE REPORT: Chief Surges presented the OCTOBER police report. Chief Surges advised that he is reviewing two pier permits and will report on the piers after reviewing them.

The DEPARTMENT OF PUBLIC WORKS REPORT: None.

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COMMITTEE REPORTS:

The POLICE CONSOLIDATION REPORT: Supervisor Montez reported on the consolidation and smart growth process. The Consolidation Research Committee consists of Supervisor Montez and Chief Surges, Town of East Troy, President Bill Loesch and Chief Boyles, Village of East Troy. The next meeting will be January 25, 2010.

The PLANNING COMMISSION Report: Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Rezone A-2 to C-2, N8720 Thiede Road, PET1300002, by Rick Stacey/Brian Godfrey. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS: Chief Surges reported on the computer back up devices. Bill Reuter, ICT, will be doing the back up work on the computers. Supervisor Klarkowski made a motion to purchase the back up devices as stated. Supervisor Montez seconded the motion. Motion carried by unanimous vote.

Attorney Mills reported on the Park Trail Jurisdictional Offers. Supervisor Montez moved that the Town not take action on the Park Trail Jurisdictional offers at this time. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Clerk/Treasurer Buchanan reported on the trash & recycling options by Viola.

Option #1 - Remain as is for 2010 @ \$150.96

Option #2 - Carts for both trash & recycling @\$146.04 a year

Option #3 - Keep garbage as is (resident provide cans) & recycling every other week @ \$146.76 a year.

The residents in attendance discussed all options. The vote was in favor of Option #3, with two votes in opposition.

Supervisor Montez moved to approve Option #3 garbage as is every week & recycling carts every other week. Supervisor Klarkowski seconded the motion. Discussion followed. Chairman Stoesser voted no. The motion carried.

Supervisor Klarkowski explained that with the new Smart Growth plan the town needs their own book for the smart growth comprehensive plan separate from the entire County. SEWRPC stated the cost is \$7,000 for the town books.

Supervisor Klarkowski moved to have SEWRPC create the town book. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

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NEW BUSINESS: Clerk Buchanan explained the Dockside Liquor and Soda Licenses. Lindey had the licenses and paid the full amount at renewal time, Dockside will pay \$236.75. The conditions will be the building inspector & fire inspector approval report on the remodeling of the building. Kandace Theisen had applied for the license at the Dockside. Supervisor Klarkowski moved to approve the liquor and soda license subject to the building inspector & fire inspection approval report. Chairman Stoesser abstained. The motion carried.

Deputy Clerk/Treasurer Wargin provided information on the landfill-monitoring contract. Both Symbiont and Geo Tran presented quotes. Deputy Clerk Treasurer Wargin recommends. Symbiont continue doing the monitoring. Supervisor Montez moved to continue to have Symbiont as the landfill-monitoring contractor. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Clerk/Treasurer Buchanan reported on the election inspectors. The Town needs a Resolution for the December meeting. Supervisor Montez made a motion to put the Election Inspectors Resolution on the December Agenda. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried by unanimous vote.

Clerk/Treasurer Buchanan reported on the Ordinance for alternate election inspectors and allowing shifts for election inspectors.

Clerk/Treasurer Buchanan presented the auditing engagement letter. Attorney Mills commented on the contract and believes that the contract is fine. Supervisor Montez moved to approve the auditing contract as presented. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried.

ATTORNEY REPORT:

Attorney Mills presented Ordinance 2009-07 amending & recreating Section 1.01(3)-(6) relating to elected officials.

Attorney Mills presented Ordinance 2009-08 amending & recreating Section 1.02(5)(c) regarding nomination papers.

Attorney Mills presented Ordinance 2009-09 amending & recreating Section 1.05 relating to appointed officials.

Attorney Mills presented Ordinance 2009-10 amending & recreating Section 1.06(3) & (9) relating to Municipal Court creation and procedures.

Attorney Mills presented Ordinance 2009-11 amending & recreating Section 2.07 of Town Code pertaining to Town Committees.

Attorney Mills presented Ordinance 2009-12 amend & recreating Section 1.10 pertaining to election board.

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Attorney Mills presented Ordinance 2009-13 amending & recreating Section 1.13 in its entirety pertaining to Public construction Codes.

Attorney Mills presented Ordinance 2009-14 amending and recreating Section 1.16(1) & (2)(g) appointees to the Planning Commission appointed by the Town Board.

Attorney Mills presented Ordinance 2009-15 amending and recreating Section 1.20(1) State statute change.

Attorney Mills presented Ordinance 2009-16 amending and recreating Section 1.22(1) & (2) Grievance procedures.

Supervisor Montez moved to waive the second reading of the ordinances. Supervisor Klarkowski seconded the motion. Chairman Stoesser abstained. The motion carried.

Supervisor Klarkowski moved to approve the ordinances with the changes. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

Attorney Mills presented Ordinance 2009-17 reallocating budget items (attached).

Supervisor Klarkowski made a motion to approve Resolution 2009-17, reallocating budget items as read. Supervisor Montez seconded the motion. The motion carried.

PUBLIC COMMENTS: Bob Mueller commented on Chairman Stoesser abstaining, as he believes that elected officials need to take a position.

LICENSE APPLICATIONS: Clerk/Treasurer Buchanan presented an Operator License for Kandace Thiesen for the Dockside.

Supervisor Montez moved to approve the operator license as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

SPECIAL EVENTS: None.

PENDING MEETINGS:

12/02/09 Planning Commission Meeting, 7:00P.M., Town Hall

12/14/09 Town Board Meeting, 6:30P.M., Town Hall

12/16/09 Planning Commission Meeting, 7:00P.M., Town Hall

REVIEW BILLS FOR PAYMENT: Clerk/Treasurer Buchanan, presented bills for payment.

Supervisor Montez moved to adjourn the meeting at 8:30 P.M. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

TOWN OF EAST TROY

December Minutes

December 14, 2009

UNOFFICIAL TOWN OF EAST TROY BOARD MINUTES

December 14th, 2009 at 6:30 P.M.

The MEETING was called to order by Chairman Stoesser at 6:30P.M. Present were Supervisor Montez, Supervisor Klarkowski, Clerk/Treasurer Buchanan, and Attorney Mills. Also in attendance were approximately 7 residents.

OPEN MEETING LAW: Chairman Stoesser asked Clerk Buchanan about the agenda being posted.

The MINUTES: Supervisor Klarkowski moved to approve the November 16, 2009 Town Board Minutes. Supervisor Klarkowski moved to table the approval of the November 4 & 18, 2009 Planning Commission Minutes until the Planning Commission has a chance to review the minutes. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

REVIEW & APPROVAL OF AGENDA: Supervisor Montez moved to approve the agenda as presented. Chairman Stoesser questioned disposing of #22, the closed meeting. Supervisor Montez withdrew his motion.

Supervisor Klarkowski questioned the pier permit on the agenda, Board members did not get information on the pier.

Supervisor Klarkowski moved to remove item #22 from agenda. Supervisor Montez seconded the motion. The motion carried.

Supervisor Montez moved to waive the mailing of the pier permit information. Supervisor Klarkowski seconded the motion. The motion carried.

The TREASURERS Report: Clerk/Treasurer Buchanan presented the November Treasurers Report. Supervisor Montez moved to approve the treasurer report as presented. Supervisor Klarkowski seconded the motion. The motion carried.

Clerk/Treasurer Buchanan reported on the Shortage & Overages for the Boat Launch. Supervisor Montez moved to dismiss the \$115.50 shortage and put the \$260.00 overage into boat launch repair fund. Supervisor Klarkowski seconded the motion. The motion carried.

RECYCLING REPORT: None.

LIBRARY REPORT: None.

POLICE REPORT: Chief Surges presented the NOVEMBER police report.

Chief Surges presented the Pier Variance allowing an oversized platform larger than Town Ordinance request by Timothy Feeney, W1773 Lake Road, PRP00001.

Tim Feeney presented the Pier variance request to extend the platform and make the platform larger toward the shoreline.

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Chairman Stoesser asked Mr. Feeney several questions and stated he would not be voting on the Pier Variance. A resident on Potters Lake presented a proposal several months ago for a pier variance.

Chief Surges commented on the proposal.

Attorney Mills commented on the pier variance.

Judy Skotazak questioned the size of the walking area. Discussion followed.

Attorney Mills stated that due process requires the neighbors be notified of the size of the pier for the variance.

Chairman Stoesser does not have an objection to two or three more feet to the pier variance, as a neighbor.

Supervisor Klarkowski moved to approve the variance of a 9 x 12 pier platform. Supervisor Montez seconded the motion. Discussion followed. The motion was withdrawn.

Supervisor Klarkowski moved to table any action on the pier permit variance until next month, neighbors to be notified of the hearing date, along with a drawing of the pier. Supervisor Montez seconded the motion. Chairman Stoesser abstained. The motion carried.

The DEPARTMENT OF PUBLIC WORKS REPORT: None.

COMMITTEE REPORTS:

The FIRE DISTRICT: None.

The POLICE CONSOLIDATION REPORT: None.

The PLANNING COMMISSION Report: Supervisor Klarkowski moved to accept the Planning Commissions recommendation and approve the Rezone C-2 to A-1, PET3400001, W986 Honey Creek Road, by Gene & Jim Morgan. Supervisor Montez seconded the motion. The motion carried.

Supervisor Klarkowski moved to accept the Planning Commissions recommendation and deny the height variance/side yard setback variance, W1596 South Shore Drive, PA50200001, by Tom Ela. Supervisor Montez seconded the motion. The motion carried.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS: Clerk/Treasurer Buchanan reported on the audio & recording system quote of \$4,500.00 for a digital recording. The payment would be from the Smart Growth designated funds.

Supervisor Montez moved to approve the audio & recording system quote of \$4,500 for a digital recording system with a budget amendment to cover the cost. Supervisor Klarkowski seconded the motion. Chairman Stoesser voted no, as there were no bids obtained on the purchase. The motion carried.

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Chairman Stoesser presented the Election Inspectors list. Supervisor Montez moved to approve the list as presented. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Clerk Buchanan requested authorizing Attorney Mills to draft an ordinance for alternate election inspectors & allowing shifts for election inspectors.

Attorney Mills will prepare a resolution for the Election Inspectors.

Supervisor Montez moved to authorize Attorney Mills to draft an ordinance for alternate election inspectors & allowing shifts for election inspectors. Supervisor Klarkowski seconded the motion. Discussion followed. The motion carried.

Supervisor Klarkowski moved to authorize Attorney Mills to prepare a resolution for the Election Inspectors. Supervisor Montez seconded the motion. The motion carried.

NEW BUSINESS: Clerk/Treasurer Buchanan presented several payroll company bids. The Town will remain with Payroll Data, as they lowered the cost by 10%.

Clerk Buchanan presented the information on the Town telephone and internet providers.

Centurytel and Time Warner Cable bids for the service, Centurytel is the cheaper and the current company the Town uses.

Attorney Mills presented the options for the language on the referendum for the April Election. Discussion followed.

Supervisor Montez moved to have Attorney Mills draft the referendum language for the Beulah Lakes Park Trail for the April Election. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.

Clerk/Treasurer Buchanan presented the Walworth County information on the SMART Growth amendment procedures.

Supervisor Montez moved to authorize Attorney Mills to draft documents on the Smart Growth amendments procedures. Supervisor Klarkowski seconded the motion. The motion carried.

ATTORNEY REPORT:

Attorney Mills presented Ordinance 2009-17 amending & recreating Section 2.01.

Supervisor Klarkowski moved to waive the second reading. Supervisor Montez seconded the motion. Chairman Stoesser voted no. The motion carried. Supervisor Klarkowski moved to approve Ordinance 2009-17 as read. Supervisor Montez seconded the motion. The motion carried.

Attorney Mills presented Ordinance 2009-18 amending & recreating Section 2.02(3).

Supervisor Klarkowski moved to waive the second reading of Ordinance 2009-18. Supervisor Montez seconded. Chairman Stoesser voted no. The motion carried. Supervisor Klarkowski moved to approve Ordinance 2009-18 as read. Supervisor Montez seconded the motion. The motion carried.

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Attorney Mills presented Ordinance 2009-19 amending & recreating Section 2.04(1)-(4).

Supervisor Klarkowski moved to waive the second reading of Ordinance 2009-19. Supervisor Montez seconded the motion. Chairman Stoesser voted no. The motion carried.

Supervisor Klarkowski moved to approve Ordinance 2009-19 as read. Supervisor Montez seconded the motion. The motion carried.

Attorney Mills presented Ordinance 2009-20 amending & recreating Section 2.05.

Supervisor Klarkowski moved to waive the second reading of Ordinance 2009-20. Supervisor Montez seconded the motion. Chairman voted no. The motion carried.

Supervisor Klarkowski moved to approve ordinance 2009-20 as read. Supervisor Montez seconded the motion. The motion carried.

Attorney Mills presented Ordinance 2009-21 amending & recreating Section 2.10(2)(7) & (8).

Supervisor Klarkowski moved to waive the second reading of 2009-21. Supervisor Montez seconded the motion. Chairman Stoesser voted no. The motion carried.

Supervisor Klarkowski moved to approve Ordinance 2009-21 as read. Supervisor Montez seconded the motion. The motion carried.

PUBLIC COMMENTS:

LICENSE APPLICATIONS: None.

SPECIAL EVENTS: None.

PENDING MEETINGS:

01/06/10 Planning Commission Meeting, 7:00P.M., Town Hall

01/11/10 Town Board Meeting, 6:30P.M., Town Hall

01/20/10 Planning Commission Meeting, 7:00P.M., Town Hall

REVIEW BILLS FOR PAYMENT: Clerk/Treasurer Buchanan, presented bills for payment:

Supervisor Montez moved to adjourn the meeting at 7:50 P.M. Supervisor Klarkowski seconded the motion. The motion carried by unanimous vote.